



Robert Greene Sterne
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
John M. Covert
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr.
Michael V. Messinger
Judith U. Kim
Jeffrey T. Helvey
Eldora L. Ellison
Donald R. Banowitz

Peter A. Jackman
Brian J. Del Buono
Mark Fox Evens
Vincent L. Capuano
Elizabeth J. Haanes
Michael D. Specht
Kevin W. McCabe
Glenn J. Perry
Edward W. Yee
Grant E. Reed
Virgil Lee Beaton
Theodore A. Wood
Joseph S. Ostroff
Jason D. Eisenberg
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Helene C. Carlson

Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longworth
Lori A. Gordon
Laura A. Vogel
Bryan S. Wade
Bashir M.S. Ali
Shannon A. Carroll
Anbar F. Khal
Michelle K. Holoubek
Marsha A. Rose
Scott A. Schaller
Lei Zhou
Young Tang
Christopher J. Walsh
W. Blake Coblenz
James J. Pohl
John T. Haran
Mark W. Rygiel

Michael R. Malek*
Carla Ji-Eun Kim
Doyle A. Siever*
Ulrike Winkler
Bryan L. Skelton*
Paul A. Calvo
Robert A. Schwartzman
C. Matthew Rozier
Alexandra K. Pechhold
Registered Patent Agents*
Karen R. Markowicz
Matthew J. Dowd
Katrina Yujian Pei Quach
Julie A. Heider
Mita Mukherjee

Scott M. Woodhouse
Peter A. Socarras
Jeffrey K. Mills
Danielle L. Letting
Lori Brandes
Steven C. Oppenheimer
Aaron S. Lukas
Gaurav Asthana

Of Counsel
Edward J. Kessler
Kenneth C. Bass III
Marvin C. Guthrie
Christopher P. Wrist

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*Admitted only in Virginia
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WRITER'S DIRECT NUMBER:
(202) 772-8851

INTERNET ADDRESS:
RSCHWART@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop: Amendment

Re: U.S. Utility Patent Application
Appl. No. 10/589,435; 35 U.S.C. § 371(c) Date: August 15, 2006
For: **Prevention of Arterial Restenosis with Active Vitamin D Compounds**
Inventors: Whitehouse *et al.*
Our Ref: 2035.0240001/RWE/RAS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
2. One (1) page of Form PTO/SB/08A citing twelve (12) documents; and
3. A copy of three (3) of the cited documents (FP4-FP6).


The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Robert A. Schwartzman, Ph.D.
Attorney for Applicants
Registration No. 50,211

RAS/las
Enclosures
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Whitehouse *et al.*

Appl. No.: 10/589,435

§ 371 Date: August 15, 2006

For: **Prevention of Arterial Restenosis
with Active Vitamin D Compounds**

Confirmation No.: 9874

Art Unit: 1614

Examiner: *To Be Assigned*

Atty. Docket: 2035.0240001/RWE/RAS

**First Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Form, PTO/SB/08A, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on August 15, 2006 in connection with the above-captioned application.

Copies of documents **FP4** to **FP6** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, **US35** to **US42**, cited on the attached IDS Form, PTO/SB/08A, are not submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert A. Schwartzman, Ph.D.
Attorney for Applicants
Registration No. 50,211

Date: 6/20/2007

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ² Number ³ Kind Code ⁵ (if known)				
	FP4	WO 2005/117542 A2	12/15/2005	Novacea, Inc. and Curd, J.G.		
	FP5	WO 2006/116204 A1	11/02/2006	Novacea, Inc. and Curd, J.G.		
	FP6	WO 2007/038428 A2	04/05/2007	Novacea, Inc. and Curd, J.G.		

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.